

Application Number 10/617,627
Responsive to Office Action mailed April 5, 2007

808.01) or distinct as claimed (see MPEP § 806.05 - § 806.05(i)); and (B) there must be a serious burden on the examiner if restriction is required (emphasis added).

In the Office Action, the Examiner asserted that Inventions I and II are patently distinct species. However, the Examiner failed to provide any indication that examination of claims 1-14 and 17-22 would create a serious burden on the Examiner. As outlined by MPEP § 803, the Examiner has the burden to provide reasons and/or examples to support a conclusion that a restriction requirement is proper. In this instance, the Examiner has failed to meet this burden.

Furthermore, examination of claims 1-14 and 17-22 would clearly not create a serious burden on the Examiner. Even though independent claims 1, 7 and 19 vary greatly in scope, many of the elements in the dependent claims are substantially similar. For example, claims 1 and 20 each recite, "an error detection code appended to user data." As another example, claims 1 and 21 each recite, "comparing the recomputed transformed error detection code syndrome to a transformed error detection code syndrome; and if the recomputed transformed error detection code syndrome corresponds to the transformed error detection code syndrome, transferring the user data." Claims 8 and 22 also recite similar features.

For at least these reasons, there is no serious burden on the Examiner with respect to examination of claims 1-14 and 17-22, and the restriction should be withdrawn.

Conclusion

Applicant respectfully request withdrawal of the restriction requirement as the restriction between Species I and Species II is improper.

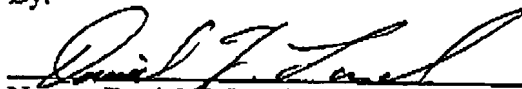
Please charge any additional fees or credit any overpayment to deposit account number 50-1778.

Date:

May 7, 2007

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